## Everything You Wanted to Know About Historic Registers But Were Afraid to Believe By Mella Rothwell Harmon

If I had a dime for every time someone said to me, "I don't want my property listed in the National Register of Historic Places because then the federal government will tell me what I can and can't do with it," I would be lying on a beach in Tahiti and not writing an article for the HRPS (Historic Reno Preservation Society) newsletter. Please understand, I am not meaning to be critical of a property owner's concern for his or her property rights. They are sacred to democracy and the American way of life, and I would defend them to the death. It does disturb me, however, that there are so many misconceptions about the National Register, and by extension the State and City Registers, to the detriment of honest and sincere preservation efforts.

The National Register was established in 1966 with the passage of the National Historic Preservation Act (NHPA). The NHPA came out of national concern over the effects of major highway-building and post-war development on the historic fabric of our country. The National Register is intended to recognize and honor properties, specifically sites, districts, buildings, structures, and objects, that are significant in local, state, and/or national history. The NHPA also guides federal agencies to consider the effects of their activities on historic resources. National Register eligibility is the benchmark against which resources are evaluated.

For private property owners, however, listing in the National Register brings no conditions or restrictions whatsoever. Reno had a prime example of this in the Mapes Hotel, which was listed in the National Register. When all was said and done, the building could not be saved from demolition. Listing can bring benefits, though, in the form of rehabilitation tax credits and federal and state preservation grants.

Nevada has a State Register of Historic Places, as well, which was created by the state legislature in 1979. The State Historic Preservation Office administers the State Register. The State Register is purely honorific and no requirements or restrictions are placed on a property listed in it.

The City Register of Historic Places was established along with Reno's historic preservation ordinance in 1993. The body that administers the City Register and the City's preservation ordinance is the Historical Resources Commission (HRC). The purpose of the City Register is to recognize and honor buildings and sites that are important to Reno's history and to our sense of community. The preservation ordinance recognizes the importance of maintaining our historic character, so the City Register carries with it minimal requirements, which pertain only to exterior modifications that require a building permit. This excludes ordinary maintenance or repair (including painting), and interior modifications. Exterior modifications involving substantial change to buildings listed in the City Register of Historic Places require a Certificate of Appropriateness approved by the HRC before a building permit will be issued.

Reno's historic preservation ordinance states the intent of the Certificate of Appropriateness requirement:

It is the intent of these regulations to insure that buildings, structures, or districts on the Register shall be in harmony with their surroundings. It is not the intention of these regulations to require the reconstruction or demolition of individual or original buildings, to prohibit the demolition or removal of such buildings, or to impose architectural styles from particular historic periods. In considering new construction, the Commission (HRC) shall encourage contemporary design which is harmonious with the character of the district or historic resource.

Now, lest you think that approval of a Certificate of Appropriateness is arbitrary or subjective. The underlying principles employed by the HRC, and which are stated in the ordinance, are derived from the Secretary of Interior's Standards for Rehabilitation. These standards set out basic measures to ensure that the characteristics of a property that make it eligible for the National

Register, or in this case, the City Register, are retained. Or as we also say, "its historical integrity is not compromised." These standards are intended to "be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility." So, let's say you own a house listed in the City Register and you want to build an addition. You will need to get a building permit from the City and they will tell you that you need a Certificate of Appropriateness from the HRC before they can issue the permit. In addition to completing the information required on the application form, plans, sketches, descriptions, photographs, specifications of the proposed addition are to be submitted at least 15 days before an HRC meeting (HRC meets the second Thursday of the month, 3: P.M., at McKinley Arts and Culture Center). All property owners within 300 feet of your property will be notified at least 10 days before the meeting. A public hearing on your proposal will be held at the HRC meeting. You will be given an opportunity to make a presentation to the Commission and will no doubt be asked questions by the Commissioners. Members of the public will be given an opportunity to comment, as well.

In reviewing your application, the HRC will take into account the historic and architectural significance of your building, the exterior form and appearance of your proposed addition, and the effect of your planned addition on other structures in the vicinity. The HRC will apply the following standards in evaluating your proposal:

Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure, or site and its environment, or to use a property for its original purpose. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided, when possible.

All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and that seek to create an earlier appearance shall be discouraged.

Changes that may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right. This significance shall be recognized and respected.

Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure, or site shall be treated with sensitivity. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features, substantiated by historic, physical, or pictorial evidence, rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.

Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any project.

Contemporary design or alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy

significant historical, architectural, or cultural material, and when such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.

In the case of an addition, the underlying principle is to create a design that is compatible and complementary to the building, without duplicating historic elements. The idea is that the addition should not confuse the history of the building. It should be identifiable as a modern addition. In its review the HRC may make recommendations and ask that you consider revising your plans to meet the above criteria. It is the HRC's job to work with property owners to identify solutions. The HRC must approve or deny an application for a Certificate of Appropriateness within 45 days. Certificates may be issued subject to reasonable conditions, and although the HRC's decision s final, the preservation ordinance allows for appeal to the City Council. Certificates of Appropriateness are good for 18 months, but extensions can be obtained. So what happens if you want to demolish a building that is listed in the City Register? You will need a Demolition Certificate from the HRC. The process is similar to the Certificate of

Appropriate process, and will be triggered when a demolition permit application is submitted to the City. The HRC has 120 days to approve the Demolition Certificate. Property owners within 300 feet will be notified, and a public hearing will be scheduled. The HRC may negotiate with the owner to find a means of preserving the building. If preservation is not possible, the HRC can institute its mitigation procedures, which typically involves documenting the historic building before it is demolished. There are several levels of documentation, depending on the significance of the building, but in general documentation involves black-and-white photography and a narrative history of the building.

So, there you have it in a nutshell. The bottom line is that listing in the City Register is intended to help property owners preserve historic properties, because to do so is beneficial for property owners and for all Reno citizens. The HRC was created to protect the historical integrity of the City of Reno for the citizens of the community, visitors, investors, and property owners. We attempt to do this by implementing established preservation principles fairly and justly. It is really not as scary as you think.

Please call Donald Naquin at 775-326-6675 if you have questions about the HRC or the Reno City Register of Historic Places. For questions about the National Register or the State Register, call Terri McBride at 775-684-3445, or visit the State Historic Preservation Office's website at http://www.NevadaCulture.org. If all you need is reassurance from me, there is a small fee to help finance my trip to Tahiti.